

A MEETING OF THE BOARD OF COMMISSIONERS
OF THE CITY OF SODDY-DAISY, TENNESSEE, WAS
HELD ON THURSDAY, MARCH 18, 2010 AT 7:00 P.M.

MEMBERS PRESENT:
MAYOR SHIPLEY
VICE-MAYOR PRIVETT
COMMISSIONER ADAMS
COMMISSIONER HARMON
COMMISSIONER SKILES
CITY MANAGER STULCE
CITY ATTORNEY ELLIOTT
CITY RECORDER BURRIS

The minutes of the meeting held March 4, 2010 were approved as presented.

Old Business:

2009-2010 ORDINANCE NO. 10
AN ORDINANCE OF THE CITY OF SODDY-DAISY, TENNESSEE,
ACCEPTING AN EXTENSION OF WEATHERSBY ROAD AS A
PUBLICLY DEDICATED CITY STREET.
SECOND AND FINAL READING.

1st - Commissioner Adams
2nd - Commissioner Skiles
Ayes - Unanimous

New Business: None.

Citizens' Participation:

Robert Hills, 9607 Barbee Road, Lot 21, Hidden Hills Mobile Home Park, stated he was at the last meeting when he was asked to take pictures of the property where an auto repair business is being operated. He said when he took the pictures the property owner called the police department and that the officer told him if he took any more pictures, it would be harassment. He presented the pictures to the Board for review. He stated his complaint was that the owner is doing mechanic work in a residential area. City Manager Stulce said this is private property and the complaint should be taken up with the landlord. Mr. Hills made a complaint of underage drinking several nights a week at the same address. Miranda Kerns, the on site resident manager, spoke saying she was recently hired as the caretaker of the Park. She reported she is working diligently in getting the Park cleaned up, providing dumpsters for all to use. She said as far as the mechanic work, she has checked this out and the car belongs to the owner who is replacing the transmission. Vice-Mayor Privett asked Ms. Kerns if she could inform the residents that there is to be no commercial work on the property. Ms. Kerns said this is so stated in the lease agreement. Cheryl Hills stated she had spoken with the Humane Society about the dog situation and that the Humane Society stated it was private property which should be taken care of by the Park's owner. Ms. Kerns said she had not been asked to address the dog problem. Mrs. Hills said she did not feel that Ms. Kerns could help because there are so many running loose. Mr. Hills complained that the neighbor's dogs bark and keep him awake. Mr. Hills presented a notarized copy of a police complaint he

registered with the City. He said the office is aware of his problems but won't do anything about it. Mayor Shipley advised Mr. Hills that the next time he calls the police with no results, to call the City Manager the next day. Vice-Mayor Privett said that if in fact there is underage drinking, the police need to be called. However, if the police are called and is it false, it will not be good for Mr. Hills. Mayor Shipley asked Police Chief Hamrick to look into this complaint.

City Manager Stulce stated that at the last meeting he was instructed to make an offer to purchase two (2) pieces of property. He reported that he had offered \$35,000 for one property and received a counter offer of \$50,000. He recommended that the property be purchased for this amount. A motion was made by Commissioner Adams and seconded by Vice-Mayor Privett to approve the purchase as recommended. A roll call vote was taken and the ayes were unanimous. City Manager Stulce said the second property offer was made for \$6,000 of which a counter offer was received for \$13,000. He noted that four years ago the owner purchased the property for \$11,000. He noted that he had talked with the City Attorney about taking the property by imminent domain but due to the cost associated with the process, he recommended that the property be purchased at a cost of \$13,000. A motion was made by Vice-Mayor Privett to approve the purchase as recommended. The motion was seconded by Commissioner Skiles and on roll call vote the ayes were unanimous.

City Manager Stulce noted that the City started working on the Bell Street sewer project in October 2009. However, a workable solution has not been reached on getting the necessary easement. Vice-Mayor Privett said that he had spoken with the County Attorney for the WWTa, asking him to prepare an appraisal on the easement, based on the square foot price, to make an offer for the easement. Once this has been prepared, the City can meet with the property owner to extend the offer. If it is not accepted, then the City can look at the condemnation process. He noted that there are residents who have sewage running on top of the ground. He noted that the owner of the property where the easement is requested has been offered fair market value and free taps to the sewer line. However, he has refused to accept the offer so the WWTa is going to handle the situation. He said this will be addressed further by the WWTa at their next meeting. City Attorney Elliott explained the condemnation process if the offer isn't accepted. He said this could be done quickly. Vice-Mayor Privett said since this was the WWTa's line, they should take the lead on any condemnation.

City Manager Stulce presented results of bids taken for playground equipment for the North Park playground. He said six bids were received, but recommended that all bids be rejected. He added that there was another quote for equipment that is more suited to the purchase request. Commissioner Adams stated the bid request was for a play unit to include a slide, climbing wall, etc. and 3 individual pieces. Since the bids received did not meet the criteria, he located another supplier that could provide what was requested. He then

made a motion to reject all bids and go with a supplier able to meet the specification at a cost of \$12,449 which is a budgeted expense. City Attorney Elliott stated that the City has the right to reject any and or all bids. Commissioner Skiles seconded the motion and the motion carried unanimously.

City Manager Stulce presented bids and a request for purchase of uniforms for fire personnel. He said there were 4 bids received with his recommendation to purchase from the two lowest bidders, that being Law Enforcement Supply and Apparel and Embroidery. He recommended taking the lowest bids on each item with both companies being awarded parts of the bid. Vice-Mayor Privett made a motion to approve the bid as requested. The motion was seconded by Commissioner Adams and the ayes were unanimous.

City Manager Stulce presented a request from Johnson, Murphey, and Wright to perform the City's 2009-2010 audit for the amount of \$19,500 which is an increase of \$705 over last year's audit. He said this firm has performed the audit for a number of years and recommended approval. Vice-Mayor Privett questioned if anyone other than this firm has expressed an interest in the audit. City Recorder Burris said none that are local. A motion was made by Vice-Mayor Privett to approve the request as presented. The motion was seconded by Commissioner Adams and the ayes were unanimous.

City Manager Stulce reported that he had met with the Director of the Humane Society which provides animal control under contract concerning issues at Hidden Hills Mobile Home Park. The Director adamantly denied the complaints and assured him that they will give 100% cooperation on anything requested. He also provided the dispatch office with cell phone numbers for himself and the second in command.

City Manager Stulce provided two change order requests for the Fire Hall #3 sewer project. After the last meeting when no action was taken on the first change order request, it was determined by the City Attorney that the contract is a per unit contract. City Manager Stulce said the first change order request is in the amount of \$4,014 for rock material and the second request is in the amount of \$393.50 for additional concrete needed at a gas main. City Attorney Elliott explained that if it is a per unit the contractor bids based on the units given by the project engineer on a materials list and the labor per unit. If there are more units that are required by the job than what is originally estimated, and it is certified by the on site inspector, then the City is obligated to pay for it. These two change orders have been certified as such. A motion was made by Commissioner Adams to approve payment of the two change orders as given. The motion was seconded by Vice-Mayor Privett and the motion carried unanimously.

City Manager Stulce reported that he had talked with Tommy Standifer with Corrections Corporation of America (CCA) that runs the Silverdale Workhouse about using low risk trustees for labor during the summer. They trustees will be used to clean out creeks, remove debris, mowing, brush removal, painting, working in the parks, etc. The only cost to the City would be their transportation to and from the Workhouse. He asked the

Board's approval in getting this extra labor. Commissioner Adams asked about supervision. City Manager Stulce said that it would require one public works employee to transport and supervise the workers. A motion was made by Commissioner Skiles and seconded by Commissioner Adams to approve this request and the ayes were unanimous.

City Manager Stulce stated four quotes were obtained for the repair of Dayton Pike at Karen Drive due to the road sinking where the sewer line was installed. He said the WWTa has agreed to help share in the cost of the repair because it was a project they oversaw, however he is unsure as to what amount they will provide. He stated that there will be two different costs. One cost is for the material (concrete and rock) at an approximate cost of \$8,100 and the low bid for the labor from Barry Higgins in the amount of \$8,330. Vice-Mayor Privett made a motion to approve the work with the low bidder on the labor. The motion was seconded by Commissioner Adams and the ayes carried unanimously.

Commissioner Skiles commended the police department for the fine job they are doing.

Vice-Mayor Privett noted that the sales tax revenue is remaining steady and thanked the citizens for shopping in Soddy-Daisy.

Mayor Shipley reported that the Soddy Lake and State Park clean up is scheduled for Saturday, March 20th beginning at 8:30 a.m. He encouraged all to help in this cleanup.

ADJOURNMENT 7:44 P.M.

RECORDER SARA BURRIS